

GENERAL ORDERS, }

No. 6.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, January 6, 1863

I..At a General Court Martial, which convened at Fredericksburg, Virginia, on the 12th day of August, 1862, pursuant to "General Orders," No. 6, dated August 11, 1862, from the Headquarters Ninth Army Corps, and of which Lieutenant Colonel HIRAM APPELMAN, 8th Regiment of Connecticut Volunteers, was President, was arraigned and tried—

Private *Edwin Gallagher*, of Company E, 4th Rhode Island Volunteers.

CHARGE 1st.—"Violation of the 7th Article of War."

Specification—"In this; that he, the said *Edwin Gallagher*, of Company E, and of the 4th Regiment Rhode Island Volunteers, did, by threats and boisterous language, create a sedition in the camp of said 4th Regiment Rhode Island Volunteers, on or about the 1st day of August, 1862, at or near Newports News, Virginia."

CHARGE 2d.—"Violation of the 9th Article of War."

Specification 1st—"In this; that he, the said *Edwin Gallagher*, on the 1st of August, 1862, a Private in Company E, 4th Regiment Rhode Island Volunteers, between the hours of 9½ and 12 p. m., at or near Newports News, Virginia, did seize or grasp W. H. P. Steere, Colonel Commanding the 4th Regiment Rhode Island Volunteers, and attempt violence against his superior officer, then and there being in the execution of his office."

Specification 2d—"In this; that he, the said private *Edwin Gallagher*, Company E, 4th Regiment Rhode Island Volunteers, on the 1st of August, between the hours of 9½ and 12 p. m., at or near Newports News, did disobey the lawful commands of his superior officer, by a continued disregard of orders to stop tumultuous noise and profanity, made use of by him, the said Gallagher, as aforesaid."

Specification 3d—"In this; that he, the said Private *Edwin Gallagher*, Company E, 4th Regiment Rhode Island Volunteers, on the 1st of August, between the hours of 9½ and 12 p. m., at or near Newports News, Virginia, did, when ordered by Captain Buffum, commanding Company B, 4th Regiment Rhode Island Volunteers, and acting, by orders from Headquarters of said 4th Regiment, as Officer of the Day, to go to his quarters and stop all noise, refuse to obey."

Specification 4th—"In this; that he, the said Private *Edwin Gallagher*, Company E, 4th Regiment Rhode Island Volunteers, on the 1st of August, between the hours of 9½ and 12 p. m., at or near Newports News, Virginia, did refuse to go to his quarters, but defiantly disobeyed the orders of W. H. P Steere, commanding said 4th Regiment of Rhode Island Volunteers."

To which charges and specifications the prisoner pleaded as follows:

To *Specification* of 1st Charge, "Not Guilty."

To 1st CHARGE, "Not Guilty."

To 1st *Specification* of 2d Charge, "Not Guilty."

To 2d *Specification* of 2d Charge, "Guilty."

To 3d *Specification* of 2d Charge, "Not Guilty."

To 4th *Specification* of 2d Charge, "Not Guilty."

To 2d CHARGE, "Not Guilty."

FINDING.

The Court, after mature deliberation upon the testimony adduced, finds the accused as follows:

Of *Specification* of 1st Charge, "Guilty."

Of 1st CHARGE, "Guilty."

Of 1st *Specification* of 2d Charge, "Guilty."

Of 2d *Specification* of 2d Charge, "Guilty."

Of 3d *Specification* of 2d Charge, "Guilty."

Of 4th *Specification* of 2d Charge, "Guilty."

Of 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private *Edwin Gallagher*, of Company E, 4th Rhode Island Volunteers, "To be shot

until he be dead;" all the members of the Court concurring in the sentence.

II.. In accordance with the 5th section of the act approved July 17, 1862, the proceedings and sentence in the case of Private *Edwin Gallagher*, have been submitted to the President of the United States, and are approved. But in consideration of the recommendation of the Court, and of the General commanding the Army of the Potomac, the sentence of death is remitted, and the prisoner will be dishonorably discharged the service, with a forfeiture of all pay.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

Assistant Adjutant General.